

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

MINUTES OF PROCEEDINGS

HONORABLE SALVADOR E. CASELLAS

COURTROOM DEPUTY: SULMA LOPEZ-DEFILLO

DATE: MARCH 16, 2007

COURT REPORTER: FTR/SLD

CRIM. NO. 98-054 (3)(SEC)

COURT INTERPRETER: HILDA GUTIERREZ

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Attorneys:

UNITED STATES OF AMERICA

AUSA, TIMOTHY HENWOOD

VS.

JOSE LUIS FRANCO-DIAZ
(OB)

AFPD, MAX J. PEREZ-BOURET

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The defendant is present in court. He is X under custody on bond

CASE CALLED FOR REVOCATION HEARING.

 X Defendant admits having violated his conditions of Supervised Release.

SENTENCE IMPOSED ON MARCH 25, 1999 is NOT REVOKED. Given that the offender has not tested positive to the use of illegal substances again and that he is taking measures to improve his lifestyle by engaging in a vocational trade, the Court will not revoke his supervised release term imposed on March 25, 1999. A stern warning is given and the offender is advised that any future violations of his conditions will result in the immediate revocation of his supervised release term. **The offender's conditions originally imposed will be modified to include:**

1. The defendant shall be placed in Home Confinement for a period of six (6) months, to

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commence within thirty (30) days of being placed on supervised release and/or within thirty (30) days of his release from imprisonment. During this time, the defendant shall remain at his place of residence, except for employment or other activities approved in advance by the probation officer. The defendant shall maintain a telephone at his place of residence without any special features, modems, answering machines, or cordless telephones during the term of electronic monitoring. The defendant shall wear an electronic device and shall observe the rules specified by the probation office. The defendant is ordered to pay the amount of \$3.26 for the cost of the Electronic Monitoring Device. He shall not leave the judicial district to which he is sentenced or released during the term of electronic monitoring."

2. The defendant shall submit his/her person, residence, office or vehicle to a search, conducted by a United States Probation Officer at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release; failure to submit to a search may be grounds for revocation; the defendant shall warn any other residents that the premises may be subject to searches pursuant to this condition.

3. The defendant shall cooperate in the collection of a DNA sample as directed by the U.S. Probation Officer, pursuant to the Revised DNA Collection Requirements, and Title 18, U.S. Code §3563(a)(9).

4. The defendant shall participate in vocational training and/or job placement program recommended by the U.S. Probation Officer.

S/ Sulma López-Defilló
Courtroom Deputy Clerk
